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General Assembly

Official Records

Disarmament Commission

266th meeting

Monday, 18 July 2005, 10 a.m.

New York

Chairman: Mr. Rowe ..... (Sierra Leone)

Mr. Vohidov (Uzbekistan), Vice-Chairman, took the Chair.

The meeting was resumed at 10.15 a.m

Election of the Chairman and other officers (*continued*)

The Acting Chairman: As all representatives are aware, we suspended the organizational meeting in December 2004 because we did not have nominations for vacant positions in the Bureau, including that of the chairman. We were also unable to reach an agreement on the two substantive items for the agenda of the 2005 substantive session of the Commission.

At its organizational meeting in December 2004, the Commission entrusted me, in my capacity as Vice-Chairman, to perform the functions of Acting Chair until such time as the regional groups were ready to nominate their candidates to the Bureau of the Disarmament Commission.

Although the process of consultations is still continuing, I have been informed by the African Group of its nomination of Ambassador Sylvester Rowe, Deputy Permanent Representative of Sierra Leone, as the Chairman of the Commission. I have also received a nomination from the Eastern European Group for the Rapporteur of the Commission, Mrs. Maria Pavlova Tzotzorkova of Bulgaria. I understand that there is a general agreement among the members of the Commission that those representatives should be elected officers of the Commission for this year.

If there are no other nominations available at this time and in the absence of objection, may I take it that it is the wish of the Commission to elect Ambassador Sylvester Rowe of Sierra Leone as Chairman and Mrs. Maria Pavlova Tzotzorkova of Bulgaria as Rapporteur of the United Nations Disarmament Commission?

It was so decided.

The Acting Chairman: I would like to congratulate Ambassador Sylvester Rowe of Sierra Leone as our new Chairman and Mrs. Maria Pavlova Tzotzorkova of Bulgaria as the Rapporteur of the Commission.

I now yield the Chair to the Chairman.

The Chairman took the Chair.

The Chairman: First of all, I am greatly honoured by the confidence members of the Commission have shown in me by electing me as Chairman of this important body of the United Nations disarmament machinery. As they are well aware, this body is currently facing difficult problems. However, I remain confident that, together, we will be able to overcome the existing problems so that the Commission can carry out its work.

I would also like to express my sincere thanks to Ambassador Alisher Vohidov of Uzbekistan for his constructive efforts as Acting Chairman of the Commission in conducting consultations with the regional groups over the past several months.

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At this stage of our work, I would like to inform members that the Asian Group of States has nominated Ambassador Vohidov of Uzbekistan as Vice-Chairman of the Commission. If there are no objections, may I take it that the Commission agrees to elect Ambassador Alisher Vohidov as Vice-Chairman from the Asian Group of States?

It was so decided

The Chairman: May I recall that, during the first part of our organizational session, on 22 December 2004, we elected another Vice-Chairperson from the Group of Asian States, namely, Mr. Lew Kwang-chul of the Republic of Korea.

I would like to offer my congratulations to the members of the Bureau who have been elected thus far. I look forward to working closely with them.

At the same time — and I say this with some regret — we still do not have nominations for six vacant positions on the Bureau, including one Vice-Chairperson from the African Group, one Vice-Chairperson from the Eastern European Group, two Vice-Chairpersons from the Latin American and Caribbean Group and two Vice-Chairpersons from the Group of Western European and other States. I would again like to remind those regional groups that, in my capacity as Chairman-designate, I gave last Wednesday as the deadline for the submission of nominations. Unfortunately, those nominations were not forthcoming. I request the regional groups to nominate their respective candidates as soon as possible.

Unfortunately, we have been unable to reach agreement on two substantive agenda items for the Disarmament Commission's 2005 substantive session. As a result, we have not published an agenda for the Commission's 2005 session. As members of the Commission have just heard, we still do not have nominations for the Bureau from several regional groups.

During informal consultations, I heard many suggestions, albeit no concrete ones, about the manner in which we should proceed. We are facing a very serious problem. If members will allow me, I would like to make a few remarks.

At this point, I should say that, from my point of view, events in the international system during the past several months — indeed, since the end of the work of the fifty-ninth session of the First Committee, which of course deals with disarmament and international security — indicate that disarmament is once again at a crossroads. Today it appears that, for its part, the Disarmament Commission may be approaching a dead end. It appears that the Commission, a subsidiary body of the General Assembly — an Assembly which reform-minded representatives would like to see strengthened — is telling the Assembly and the world at large that the Commission may perhaps be unable to fulfil its mandate and to undertake its responsibilities.

We all know how, and why, the Commission was established; and we all know exactly what it is supposed to do. Resolution 59/105 only reminds us that, in essence, the Commission is supposed to hold in-depth discussions about specific disarmament issues and make concrete recommendations — I repeat, recommendations. Whether we call them strategies or guidelines or strategies and guidelines, they are recommendations. That is why, in the process of our informal consultations — and having listened to the views of Member States and their respective groups — I proposed that we agree on the word "recommendations", a suggestion that I culled from resolution 59/105.

I think that, at this point, we should remind ourselves that the Commission is universal. It comprises all States Members of the United Nations, not just a few. It is not a select committee. It is a deliberative body, not a law-making institution. It is not an institution created to negotiate legally binding instruments. We are here to deliberate, discuss and make recommendations. That is the bottom line. I think that we do not have to look back to the mandate of 1978. I am sure that, if he were here today, one of the principal architects of the resolution that gave us our mandate, the late Alfonso García Robles of Mexico, would have told us exactly that, namely, that the job of the Commission's members is to deliberate, not to negotiate instruments.

I emphasize that only because I have the impression that — while I respect the views of Member States vis-à-vis a word here or there that could have political meaning for their foreign policy — in the interests of multilateralism, we have to take up our responsibility to assume the function that was given to the Commission. There are several other parts to the disarmament machinery — the First Committee, the Secretary-General's Advisory Board on Disarmament and various groups of governmental experts — which

are all dealing with various aspects of the issue, given that it is such a major subject of concern to all of us. We should of course not forget the role of the Department for Disarmament Affairs, which is also part of that machinery. Every part has its own specific functions to carry out.

My view is that, whether or not the Commission agrees on a written agenda for its substantive session, we must remember that outside these walls the disarmament agenda is very much alive outside these walls. It is in the hearts and minds of the peoples whom we represent — the victims of nuclear weapons and the use of weapons that destroy human life. That agenda is clearly manifested in the work of the hundreds of non-governmental organizations and civil society groups that work arduously with the aim of eliminating nuclear weapons and other weapons of war to ensure the security not only of representatives and of Governments, but of us all as members of the human family.

At this point I wish to state that, because of the situation that we have described, we have no agenda and the Bureau is not even constituted. I ask the House: let me know where we go from here.

I call now on the Under-Secretary-General for Disarmament Affairs.

Mr. Abe (Under-Secretary-General for Disarmament Affairs): I wish to congratulate you, Sir, on your election as Chairman of the Disarmament Commission. The Department for Disarmament Affairs, together with other departments of the Secretariat, will give you our fullest cooperation and support. I also wish to thank Ambassador Revaz Adamia of Georgia, Chairman of the Commission at its 2004 session, for his strenuous efforts to reach agreement on a substantive agenda for the Commission.

Last year in the Commission, I commented that the international community was facing a range of new and sometimes disturbing challenges. Among them was concern about the progress of nuclear disarmament, coupled with the threat of proliferation, the possible acquisition by terrorists of weapons of mass destruction and the all-too-numerous everyday tragedies of deaths caused by small arms. Those challenges still require our full attention. In addition, we have recently seen deadlock at the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

However, I strongly believe that that is all the more reason for urgent action. We cannot afford to be mere observers; we must become effective decision-makers. The world around us is certainly not standing still, and neither should we.

For those reasons, I deeply regret the fact that this year the Commission is facing the same impasse. Unless there can be agreement on a substantive agenda, there is a real risk that we will have to cancel or postpone the 2005 substantive session altogether.

As members will recall, the Commission's record has of late been far from satisfactory. Recent developments have further tested the multilateral disarmament machinery, whose effectiveness has been a matter of great concern to all of us. As part of that machinery, the Disarmament Commission plays a unique role: it is the deliberative body of the General Assembly tasked with considering and making recommendations, as the Chairman said, on specific disarmament issues. I would therefore urge all members to show greater flexibility and to reconsider their respective positions in such as a way as to allow the Commission to reach early agreement on its substantive agenda items.

This is an especially significant year, as it marks the sixtieth anniversary of the establishment of the United Nations. World leaders will shortly gather here in New York to give their response to the Secretary-General's report "In larger freedom" (A/59/2005), which contains a significant disarmament and non-proliferation component.

For those reasons, I strongly hope that the Commission will be able to commence meaningful deliberations on substantive issues this year so as to demonstrate its continuing potential as an important and vital forum for the discussion of disarmament issues. I fully share the sense of urgency and crisis expressed by the Chairman, and I wish to make a last appeal to members to compromise and to produce a substantive agenda for the Commission.

Mr. Rachmianto (Indonesia): I am speaking on behalf of the Non-Aligned Movement (NAM). We congratulate you, Sir, on your election as Chairman of the Disarmament Commission at its 2005 session. We

will rely on your able leadership and past experience in the field of disarmament.

In response to your remarks, Sir, I should now like to make a brief statement on behalf of the Movement.

NAM has continued to show its constructive and flexible attitude with regard to the Chair's efforts to agree on agenda items for this year's substantive session of the Disarmament Commission. We also wish to reaffirm the importance of the Commission, a subsidiary body of the General Assembly, as a multilateral deliberative body whose functions are to consider and make recommendations on various problems in the field of disarmament and to follow up the relevant decisions and recommendations of the special sessions of the General Assembly devoted to disarmament.

As members will recall, in accordance with resolution 59/105 and decision 52/492, NAM submitted on 5 July 2005 new proposals concerning agenda items for the consideration of the Disarmament Commission during the informal consultations. Our proposals were discussed, and on the basis of that discussion, the Chair came up with a proposal, dated 6 July 2005, that NAM considers to be a good framework for the reaching of consensus on agenda items.

During the informal consultations led by the Chair on 8 July 2005, NAM again showed its flexibility by submitting an alternative proposal on the agenda item dealing with nuclear disarmament, as contained in the previous Chair's recommendations. Our latest proposal on nuclear disarmament was not objected to, although one delegation required further discussion with its capital. Unfortunately, however, the Commission could not reach any conclusions during the consultations.

Through you, Mr. Chairman, we would like to request that our proposal on agenda items be circulated as an official document of the Disarmament Commission.

Mr. Litavrin (Russian Federation) (*spoke in Russian*): At the outset, I should like to congratulate you, Sir, on your election as Chairman of the Disarmament Commission. You can count on the full support of our delegation.

We fully agree with the assessments that have been made, and we understand that difficulties are being encountered by the Commission. Unfortunately, those difficulties are many. We are aware of the obstacles that arose during the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the problems that the Conference on Disarmament is facing in Geneva and the difficulties that the First Committee has encountered in its work. As the Under-Secretary-General rightly stated, that forces us to think about the whole issue of the way in which disarmament is being discussed within the United Nations.

We are prepared in principle to take a flexible, non-confrontational approach and to remain open with regard to many issues. For us, it would be acceptable to retain the following agenda items: confidence-building measures; and recommendations for nuclear disarmament and non-proliferation. There are other issues on which we would need instructions from Moscow — for example, the disarmament machinery, and so forth. I think that if we cannot reach agreement on the agenda today, we will not stand in the way of suspending the meeting and trying to find a solution. Perhaps that is the only way out. But we should not wait until next year's substantive session to engage in substantive work.

The Chairman: The question I raised was "whither the Disarmament Commission at this point?" I raised it against the background of having no agenda. I think the issue of the Bureau is the least of our problems; it can be resolved. In the absence of an agenda, what do we do? I am sure delegations have had time to think about the question following our last informal consultations just over a week ago. I need members' advice about what we should do at this stage.

In the absence of any input on that question, I would request members whether they would consider requesting the Chair to come up with a proposal or a suggestion as to where we go from here.

I think the silence speaks loud and clear: no one wishes to give me the mandate to come up with a suggestion as to where we go from here. No member has suggested — at least not directly — what should happen next. And no member has given me any suggestion as to what I could do or has given me the mandate to come up with a suggestion. Therefore, I

would suggest that at this stage we take a 10-minute break and then return.

In the absence of objection, I shall now suspend the meeting.

The meeting was suspended at 10.45 a.m. and resumed at 11.05 a.m.

The Chairman: I asked for guidance, as Chairman, in the absence of any suggestion as to where we go from here. I asked for guidance and for the authority or mandate to come up with suggestions as to where we go from here. That is why we had a short break.

Let me ask once again: do I have the authority or the mandate to come up with suggestions as to how we proceed?

Mr. Rachmianto (Indonesia): As I indicated in my previous remarks on behalf of the Non-Aligned Movement, our proposal is on the table regarding the two agenda items. If you will allow me, Mr. Chairman, I will reiterate the Movement's proposal on the agenda items.

For the first agenda item, "Guidelines and strategies for nuclear disarmament and non-proliferation of nuclear weaopons in all its aspects for achieving the objective of nuclear disarmament".

For agenda item 2, "Practical confidence-building measures in the field of conventional arms". This is the latest proposal, which we submitted during the most recent consultations, held last Friday.

I turn now to my second point. First of all, I would like to express my appreciation for the circulation of the draft report. However, we have some inquiries regarding part IV, on conclusions and recommendations.

Mr. Chairman, could you explain to us why the three or four items or paragraphs under these conclusions and recommendations appear in this report? We view this as prejudging the conclusions reached by the Disarmament Commission.

The Chairman: Let me respond to the second part of the intervention by the representative of Indonesia. He, representing the Non-Aligned Movement, and others were present at our informal consultations, and we all knew the status of things, so to speak. One had to prepare for any eventuality. I would suggest that what is reflected in the report, which we shall come to later on — it is not definitive, it is only a draft, and we are not even at the stage of discussing the draft — does not prejudge anything. It is not a decision. We have to take a decision.

I realize, of course, that the circulation of that draft may create some kind of impression in the minds of many of us, but I would suggest that we defer any discussion of the draft until we get to that point on the agenda of this meeting.

Regarding the proposal which the representative of Indonesia just read — the proposal by the Non-Aligned Movement — I do not think that all representatives have copies of that document. Indeed, on the last day of our informal consultations, and in the absence of consensus on a draft that I had circulated to Member States with brackets — again, in the absence of consensus between the United States and the Non Aligned Movement at that point in time as to removing, or trying to facilitate the removal of, certain brackets, particularly as concerns the agenda item on nuclear disarmament, I made new proposals: one for nuclear disarmament, another one for conventional disarmament.

Members may recall that we discussed the proposal on nuclear disarmament extensively. That proposal reads as follows: "Recommendations for nuclear disarmament and non-proliferation of nuclear weapons in all its aspects, in particular for achieving the objective of nuclear disarmament".

It will be recalled by those who attended that meeting that one delegation proposed the addition of a word at the end of that paragraph, in the second line — on nuclear disarmament — and that another group objected to that. One delegation suggested that we break for about 10 minutes to try to resolve that particular issue. We broke for a few minutes, and, when we came back, the discussion was not on the subject that was the focus of the break. I think that one delegation pointed out that we had suspended the meeting to resolve questions about that particular word.

Then Indonesia, on behalf of the Non-Aligned Movement, made a proposal — the one that the representative of Indonesia just reiterated on behalf of the Movement. At this stage, let me open the floor to discuss this new development that has arisen in our meeting.

Mr. Loedel (Uruguay) (*spoke in Spanish*): With your permission, Mr. Chairman, I should like to revert to an issue that, although it is perhaps, as you said, not the most important one, should be resolved: the question of the Bureau.

Uruguay is currently the Group of Latin American and Caribbean States for the month of July. I wish to confirm that last month our regional group endorsed the candidates of Bolivia and Jamaica for members of the Bureau of the Disarmament Commission. Unfortunately, there seems to have been some administrative confusion, and therefore you were not informed of this matter. But we wished to place on record the fact that Bolivia and Jamaica were endorsed to represent our regional group in the Commission.

The Chairman: We take note of the comment of the representative of Uruguay, and we will address that issue later.

Mr. Gala López (Cuba) (*spoke in Spanish*): Permit me at the outset to congratulate you, Mr. Chairman, on your election. Please convey our congratulations to the other members of the Bureau.

Regarding your most recent comment, Mr. President — essentially on what happened during the most recent informal consultations — I should like to recall, as already pointed out by the representative of Indonesia, that in fact our last proposal on nuclear disarmament was not objected to by any delegation, although, as you stated, one delegation — that of the United States — indicated that it needed to consult with its capital. That is the understanding of our delegation and several others concerning the status of at least the nuclear disarmament issue.

The Chairman: I believe it was clear that there was no consensus on my nuclear disarmament proposal. The proposal that NAM made at that meeting, after the separate consultations to discuss my proposal — specifically, to decide whether or not to include the words "and non-proliferation" at the end of my nuclear disarmament proposal — was not resolved, so my conclusion was that there was no consensus on my proposal.

NAM also put forward a nuclear disarmament proposal, which was just referred to by the representative of Indonesia. According to the representative of Cuba, there was no objection to it. In fact, however, there was one objection. If there is one objection, then there is no consensus.

Similarly, there was one objection — only one — to my nuclear disarmament proposal. In fact, it had got to the point where I raised the gavel and was going to bring it down because there was complete silence, and I assumed that we had made it. Then one delegation expressed doubt, and then again NAM disagreed: NAM did not feel that the words "and non-proliferation" should be at the end of my proposal. And the United Kingdom suggested — on behalf of the European Union, I believe — that we should suspend the meeting for a while to resolve that particular issue. When the meeting resumed, there was no comment on it. In other words, it appears to me that the issue of removing or including the words "and non-proliferation" either was not discussed or was discarded. NAM came up with its proposal, and the fact that one delegation said that it would have to consult meant that there was no consensus, period.

At this stage, I wonder whether it serves our purposes to go through this process of reiterating what happened in informal consultations. I would humbly suggest that, in the spirit of consensus, cooperation and multilateralism, and in the spirit of my earlier statement and the Under-Secretary-General's statement, and also in terms of our responsibility as members of the Commission, we focus our attention on where we go from here.

The fact remains: whatever happened in the informal consultations, there was no consensus. If there had been a consensus, at least there would have been an agenda. I emphasize again: my second proposal, "Practical confidence-building measures, including verification mechanisms, in the field of conventional weapons", which was a compromise suggestion, was not discussed; we did not have time for it. I thought that we should proceed incrementally, step by step, starting with nuclear disarmament. Delegations were raising the question: if we approve the first proposal, what will happen to the other one? Should we deal with both of them together as a package? I said that I thought we should at least achieve some kind of consensus on the first one.

Mr. Bravaco (United States of America): It is good to be working with you again, Mr. Chairman. Allow me to congratulate you and the entire Bureau on your election.

It is indeed discouraging that we find ourselves at the same place year after year — that is to say, in non-agreement on an agenda. Universality contributes to legitimacy, but in the end, I think legitimacy rises or falls on the basis of whether an international body delivers or not. So on that basis, I would say that the Disarmament Commission is in dire straits at this point.

I have taken the floor simply to ask whether we are now veering into a situation in which we are going to be continuing, in this formal session, the informal consultations on the agenda that last took place on 8 July. If that is the case, the United States has no objection. But we have a number of suggestions for new proposals for the agenda and modifications to the Chairman's proposal. So the United States is in your hands, Mr. Chairman. If we are going to do that, please let us know. At some point down the road, I will take the floor again, and we can begin to do line-ins and line-outs on your proposal. We have some additional suggestions as well.

Mr. Shamaa (Egypt): First, I would like to thank you very much, Mr. Chairman, for your efforts during the consultations held in recent weeks to try to reach agreement regarding two substantive agenda items.

Let me begin by saying, however, that my delegation must disagree with something you said in your introductory remarks: that disarmament is at a crossroads. It is not disarmament that is at a crossroads; it is multilateral efforts as a whole in the field of disarmament that are at a crossroads, and for a simple reason: the will or the wish of some to try to negate the commitments and obligations to which they have previously agreed.

I believe that you, Mr. Chairman, and many other delegations would agree with me that our efforts in the field of multilateral disarmament are made step by step: we build upon what we have previously achieved. Therefore, when we start to negate our previous commitments, it becomes more difficult to go further.

Similarly, what Under-Secretary-General Abe referred to is very true with regard to the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. What we have seen there is but a stark example of exactly what I have just described, which is non-respect for previous commitments and obligations, be they political or legal ones.

The representative of Indonesia has read out the latest NAM proposal, which was discussed at our last informal consultations. Our recollection is that all delegations at that meeting did go along with the proposal, with the exception of one element in it — to which there was no objection but in connection with which one delegation requested more time to consult its capital, which does not constitute an objection. It would therefore not be precise to say that there was no consensus on the NAM proposal. I therefore believe that the only way we can go forward from here is by hearing a response from the delegation that requested time.

I would just like to recall that, at the end of that meeting, the delegation of Egypt requested the Chairman to convene consultations last week. We believe that there could have been ample opportunity for that. Unfortunately, however, no consultations were convened last week.

Mr. Bravaco (United States of America): We did submit the Chairman's proposal for agenda item 1 for informal review, as amended by the Non-Aligned Movement. Washington was not inclined to accept it as amended. Regrettably, we really did not shop the Chairman's initial proposal around very much, because the Non-Aligned Movement almost immediately came back with amendments to it. We therefore thought, as the Chairman rightly pointed out, that the proposal was not agreed to, as a result of amendments made to it by the Non-Aligned Movement. Therefore, as we understand it, the proposal for agenda item 1 was not agreed to by the Non-Aligned Movement. I can report that the United States does not agree to the proposal for agenda item 1 as amended by the Non-Aligned Movement.

The Chairman: I earlier gave my own account of what happened in the informal consultations. Unfortunately, we even had to leave the room in which the consultations were being held. Although it was an informal meeting, it nevertheless ended in an unceremonious manner. I believe the reason for that was that there was a meeting of one of the subsidiary bodies of the Security Council.

At this point we should ask ourselves whether we can in fact use this part of our work to discuss my proposal or the NAM proposal or whether we should admit that there seems to be no consensus, and see what we can do in that regard.

Ms. Paterson (United Kingdom): I have the honour to take the floor on behalf of the European Union (EU). The acceding countries Bulgaria and Romania, the candidate countries Croatia and Turkey, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia and Serbia and Montenegro, as well as Iceland, Moldova and Ukraine, all align themselves with this statement.

At the outset, Mr. Chairman, allow me to congratulate you on your assumption of the chairmanship of the Commission, as well as to thank you for your efforts to date in trying to resolve the issue of a substantive agenda.

Unfortunately, and despite a flexible approach by the European Union, since the start of these discussions in early 2004, the differences have not been overcome in time for us to begin our work today. The European Union is of course ready even now to work with the Chairman and other colleagues to find a way forward on the agenda. But given the current situation, and wishing to avoid a repetition of last year's experience, the EU would suggest that the Chairman may wish to consult delegations informally to establish the sentiment of the Commission on the way forward, and then come to the Commission with his conclusions.

Mr. Tolkachev (Russian Federation) (*spoke in Russian*): The Russian Federation recognizes and welcomes the Chairman's efforts to find a compromise solution so that the Disarmament Commission can make progress and agree on at least one agenda item. It would of course be better if we could agree on two. We would therefore propose using the Chairman's proposals — just as he has worded them — as the basis for a compromise.

The Chairman: It seems that we are in another mode. We were at an impasse earlier this morning. Although it seems we are still at that impasse, I discern some potential avenues to take us out of it. I am not sure what the prospects are for truly emerging from that impasse.

On the one hand, it appears that my proposal for these two items — or at least one of them — is still on the floor, even though there was no consensus on it. On the other hand, the Non-Aligned Movement has proposed two items, which it presented during the informal consultations held about two weeks ago.

I think that we have to take a decision on what we want to do with those proposals. Members will recall that, during the informal discussions, I said that the previous proposals were still on board. I said also that, since there was no consensus, I would help to get us out of that situation. But not only that; I said — and there was no objection to that — that I was going to use the previous Chairman's proposal, because we are not trying to reinvent the wheel, as a basis for whatever compromise I had in mind.

I presented those proposals, taking into consideration the points raised by various groups, and put some of those proposals in square brackets. I had hoped that those square brackets would be removed. We spoke of an emerging consensus; we thought we were there. But those square brackets were not removed.

It is all right for the Chairman to hold consultations; I think that this is the practice in this House, to which everybody subscribes. But I think that there should also be a dialogue between groups in order that some of the issues might be resolved. On that Friday, many of those who were present thought it would not be possible to hold further informal consultations — at least in one room — while the meeting on the Programme of Action on small arms was going on. We did hold consultations, one on one, informally, outside Conference Room 4.

I had also expected that groups would speak to one another and try to resolve the issues. I discussed with one particular group the possibility of talking with another group; on Friday, I think it was, I was told that the leader of that other group could not be reached. Therefore, we have to take a decision now as to the status of my two proposals and of the proposal just made by the representative of Indonesia on behalf of the Non-Aligned Movement.

As I said earlier, unfortunately, I do not believe that everyone in the room has a copy of that proposal, so I shall read out its contents: first, "Guidelines and strategies for nuclear disarmament and non-proliferation of nuclear weapons in all its aspects for achieving the objective of nuclear disarmament"; and secondly, "Practical confidence-building measures in the field of conventional arms".

Based on my assessment of the mood of, and the positions held by, delegations, I suggest — unless the

House disagrees — that my proposal remain on the table. Is there any objection to that proposal?

Mr. Bravaco (United States of America): Mr. Chairman, I apologize for taking the floor yet again. Regarding your second proposal, the United States believes that this particular item would have to be reformulated or replaced, as it would duplicate the work of the panel of governmental experts that will meet in 2006 to study verification in all its aspects.

The proposed text also is a little unclear to us. Confidence-building measures usually are an adjunct to a verification system, as opposed to a measure subject to verification.

We would offer for the House's consideration an alternative to your second item, Mr. Chairman, since other groups are making proposals from the floor. I will be happy to submit these in writing at the earliest opportunity.

Mr. Chairman, instead of your formulation of the second item, we would suggest the following: "Responding to contemporary threats to international peace and security".

We would like also to point out that the inability of the Disarmament Commission to generate consensus on either procedural or substantive issues over the past five years warrants a review of the Commission's working methods. The United States feels quite strongly that we could not agree to a comprehensive agenda that precludes, in some fashion, an internal review of Disarmament Commission operations. We would therefore propose, as a third item for consideration, "Measures for improving the effectiveness of the methods of work of the Disarmament Commission".

Let me point out here that General Assembly resolution 52/492 of 1998 states that the agenda of the Disarmament Commission should consist "normally" — not exclusively — of two items. That text clearly permits the Disarmament Commission to expand its agenda whenever circumstances so warrant. In terms of trying to make the Organization work smarter and better, I would say that we are clearly under those circumstances.

I apologize for not having had this in writing in advance of this meeting, but I certainly will provide that to delegations individually and through the Secretariat as soon as humanly possible.

The Chairman: I think that I did deliberately mention the Chair's proposal — not that I am ignoring, or attempting to discard, the proposal of any delegation or group of delegations. My point is that we have to be realistic. The representative of the Russian Federation indicated his delegation's preference, so to speak, for working on my proposal — the Chair's proposal. I assume, unless he tells me otherwise, that we should concentrate on that, if it is the wish of the House at this stage. We can do it here, at this organizational meeting. I think that someone was asking what we are doing; we are still, I think, on item 4 of our provisional agenda for this organizational meeting, meaning the provisional agenda for the substantive session of the Disarmament Commission for 2005.

In order to facilitate our work, and based on the suggestion of the representative of the Russian Federation, I thought that we should review once again the Chair's proposal, which, to a large extent, is not too different from the proposal of the Non-Aligned Movement or even the proposal of the United States, except, of course, for the third item, which we all know about, which I feel that we can address later on.

So I suggest that perhaps we should look again at my first proposal on nuclear disarmament. If we go back, it appears that there was an emerging consensus on the NAM proposal during the informal consultations. We can also say that there was an emerging consensus on my proposal — at least on my proposal on the item on nuclear weapons — before the NAM proposal arose. So we have two proposals on which consensuses are almost emerging.

In other words, to facilitate our work, I would suggest that, unless there is an objection, we take this opportunity to look again at my proposal for agenda item 1, nuclear disarmament. Not all delegations were present during the informal consultations. Those who were not present would be pleased to know that there was almost a consensus on my proposal. From my vantage point, it appears as if it was as an afterthought that an attempt was made to — let us be realistic — amend my proposal.

So I put it to the house: with regard to agenda item 1, "Recommendations for nuclear disarmament and non-proliferation of nuclear weapons in all its aspects, in particular for achieving the objective of nuclear disarmament", should we add the words "and non-proliferation" to the end of that sentence, as the

representative of the United States proposed? Let us address that issue right now. In other words, the representative of the United States suggested that we should add the phrase "the objective of nuclear disarmament and non-proliferation", and the Non-Aligned Movement objected. Are there any comments as to whether or not we should add the words "and non-proliferation" at the end of my proposal for agenda item 1? The floor is open.

Mr. Najafi (Islamic Republic of Iran): As this is the first time I have taken the floor, I should like to join others in congratulating you, Sir, on your assumption of the chairmanship and to congratulate the other members of the Bureau.

In response to your previous question as to whether your proposal as a whole would serve as a basis, we just heard a delegation state that it had difficulty with the proposal, especially agenda item 2, that it was proposing a completely new item and that it insisted on the addition of a third item. So we would like to express our doubt as to whether it is useful to discuss your proposal any further.

The Chairman: The format — I do not want to use the word "strategy" again — that I proposed in the informal consultations is the same format that I intend to use here.

To respond to the representative of Iran: I took note of what the representative of the United States stated about the number of items; we know that already. But I was asked to take things incrementally, so to speak, by dealing at this point with one, and only one, item: item 1, on nuclear disarmament. I would appeal to delegations to concentrate on that; we will get to the next item later.

As I said, I would like to hear the views of members — particularly those who were not present during the informal consultations — concerning whether or not we should add the words "and non-proliferation" at the end of my proposal for item 1.

Mr. Bravaco (United States of America): I am sorry to be so loquacious this morning. For purposes of symmetry, would it help to add, at the end of the sentence, "non-proliferation in all its aspects", as it appears earlier in the sentence? I think we could, on an ad referendum basis, maintain the word "recommendations" and add "in all its aspects" to the end of the sentence. I just offer that as a suggestion; perhaps it will ease the way.

I also want to remind members that, as far as the United States is concerned and understands, the 2004 Chairman's suggestion for the nuclear item — "Strategies for nuclear disarmament and non-proliferation of nuclear weapons, including strategies for dealing with illicit activities that undermine nuclear disarmament and non-proliferation activities" — is still on the table. We understand, Mr. Chairman, that your revised proposal sort of draws on the 2004 Chair's proposal; I think it does a very able job of condensing and drawing on the work of last year's Georgian Chair. However, if your proposal does not fly, perhaps we could consider returning to the 2004 suggestion, which is still on the table as far as the United States is concerned. In fact, it is more appealing to the United States in many respects. So that is another option that we could all consider.

The Chairman: I wish to say that I would like my suggestion to fly, not because it is mine, but because the other proposals do not have wings or, if they do, some of those wings have been clipped.

Mr. Shama (Egypt): Just to clarify an issue: I think part of the problem is that the word "recommendations" is probably not the correct word to use. If we go back to the founding of the Disarmament Commission, referred to in the Final Document of the First Special Session of the General Assembly Devoted to Disarmament, resolution S-10/2, we find that the Commission was established as a deliberative body. Hence, when the Commission agreed on guidelines for nuclear-weapon-free zones at its last successful session, which was held in 1999, the words "guidelines" and "principles" were used, not "recommendations".

The Chairman: I asked whether or not delegations would accept or reject — as the Non-Aligned Movement had done — the use of the words "and non-proliferation" at the end of my proposal, and I would like us to concentrate on that. I take note of what the representative of Egypt said; I am aware of those facts. I believe that I said during the informal consultations the other day that if I were going to invite delegates to a seminar or workshop and came up with a title such as this one, I was sure that I would get some very good input from representatives in their

national or personal capacities. And I am sure that they will come up with some good recommendations.

I feel we should not even discuss the idea of guidelines and strategies at this stage because of the controversy. We were at the point of having one word; do we have it? At that time the United States had been suggesting "non-proliferation"; now, the United States is saying "non-proliferation in all its aspects". In other words, the United States is adding to its own proposal.

The Non-Aligned Movement (NAM) was not in favour of adding "non-proliferation". May I ask NAM whether in fact it still holds to that view?

Mr. Rachmianto (Indonesia): With regard to the Chairman's proposal regarding the United States wording "non-proliferation in all its aspects", let me repeat that the position of the Non-Aligned Movement is founded on the Commission's mandate based on decision 52/492 — which is basically that one of the agenda items should deal with nuclear disarmament. Thus, when the first part of the NAM proposal referred to non-proliferation of nuclear weapons in all its aspects, that already reflected our flexibility on that agenda item. In that regard, I reaffirm that NAM cannot accept the additional reference to "non-proliferation in all its aspects" in the last part of the proposal.

Mr. Issa (Egypt): I fully endorse the statement of the representative of Indonesia. I wish just to highlight the fact that the position of the Non-Aligned Movement (NAM) is consistent with our mandate, which is that the Commission should consider one item on nuclear disarmament.

I wish also to ask the Chairman where exactly we stand at this stage. It was my delegation's understanding that the first option was no longer before us, because the last option before the Commission was the proposal by NAM. We are at a loss; we do not know why we have come back again to the first option. The last we knew, there was a NAM proposal with respect to guidelines and principles, which had been read out. There was then a response to it, and nothing more.

I fail, thus, to see why we have returned to the first option when it had been amended slightly by NAM and even more so by the representative of the United States a few minutes ago.

The Chairman: I had requested that my proposal remain the table, and at least one delegation expressed support for that. Since it was apparent that there was no consensus on the proposal presented during informal consultations by the Non-Aligned Movement (NAM), which has now been formally presented to the Commission, I had to revert to my proposal and to the point we had reached before our 10-minute break.

If it is the view of the House that my proposal is not acceptable or that it should not be the basis of consultations, I am in the Commission's hands. But I feel that we should make progress. In fact, we had reached the point at which I sought the Commission's guidance about where we should move. We have made some progress; in other words, we have backtracked a little — we did not hit the wall — and we should take it from there. That is why I made that proposal. If any delegation feels that it is not acceptable, we shall discuss it.

In response to my question, NAM has indicated that it is not in favour of the word "non-proliferation" at the end of my proposal and that NAM is not in favour of the addition that the United States made by adding "in all its aspects".

Mr. Bravaco (United States of America): I merely proposed "in all its aspects" as a suggestion. I am certainly not wedded to that; we can drop it right away. I could even envisage a situation where, if "recommendations" were maintained, the United States could conceivably be inclined to drop the word "non-proliferation", as it originally proposed, at the end of the sentence. In context and an on *ad referendum* basis, depending on how the other elements of the agenda worked out, we would be prepared to do that: that is to say, drop the word "non-proliferation" and drop "in all its aspects" at the end of the sentence, and maintain that formulation in the top part of the sentence; and maintain the word "recommendations". That is something that I could be prepared to refer to Washington.

Unfortunately, Mr. Chairman, as I said earlier on, my supervisor, Robert Luaces, who represented the United States at the 8 July consultation, did not really shop the original version of your proposal around too widely in Washington, because it was almost instantaneously amended on 8 July. We did not think that its wings had had a chance to fully extend themselves, and we just focused on your proposal as

amended by the Non-Aligned Movement. As I also said earlier, we did indeed shop that around in Washington, and that formulation is not acceptable to the United States.

If any of that helps, I lay it on the table.

The Chairman: I thank the representative of the United States for his inclination — which I could sense — to drop the reference to "in all its aspects" and, most probably, the reference to non-proliferation at the end. There had been no argument about the word "recommendations"; it was generally accepted for the sake of consensus. As we have heard from him, it appears that the United States is willing to remove "in all its aspects" and most probably to remove the reference to non-proliferation at the end of my proposal. I wonder how soon we could get a definitive response from the United States; I think I made the same appeal during our consultations two weeks ago, when I spoke about the modern technology of cell phones and about calling capitals to get instructions on a major issue — and I think every delegation here regards this as a major issue.

Let me hail the fact that we seem to be making some progress. At one point I was a little apprehensive about our ever getting to this point. But I am encouraged by what I have witnessed during the last few minutes, and I hope that this situation will continue to prevail in this room and in the process that we are trying to conclude.

Mr. Issa (Egypt): I am sorry, but I am indeed lost. I think what we have before us is a United States proposal, not a proposal by the Chairman: you hinted, Sir, at dropping "non-proliferation" at the end of your proposal. But there is no "non-proliferation" at the end of the Chairman's proposal as I have it before me.

From what I understand — and I am speaking in all frankness — I heard from the representative of the United States that the Chair's proposal was not circulated in Washington, D.C., so it was not even considered in Washington, D.C. As far as I recollect, the point where we ended was the proposal from the Non-Aligned Movement (NAM), which the United States delegation has requested time to consider. We heard today a response from the United States delegation to the NAM proposal, and now we are hearing a proposal from the United States that seems to me to be a new proposal, not the Chair's proposal.

May I request the representative of the United States to read out his proposal at dictation speed so that I can take it down?

The Chairman: Let me emphasize here that, as far as I know now, we are not discussing the United States proposal. It is the Chair's proposal. The Chair's proposal, at the informal consultation, did not include the word "non-proliferation" at the end. I am only updating — recalling — the status of things. The word "non-proliferation" never appeared at the end of my proposal. It was the United States at that time that made that suggestion, and the Non-Aligned Movement (NAM) objected, and then the representative of the United Kingdom said "Let us meet separately to resolve that issue". We came back; that issue was not addressed. We had a NAM proposal combining strategies, and so on.

I would appeal to representatives that we move forward and not go back. I urge them to accept the fact that there is a Chair's proposal. It is the Chair's proposal and, at this point, it appears that the United States made a suggestion to add "non-proliferation" in all its aspects. As I said, the United States representative has agreed to remove "non-proliferation" and it appears that he has promised us that he is prepared to remove reference to "non-proliferation".

That is the stage at which we find ourselves. We are dealing with the Chair's proposal and not with a United States proposal or any proposal from any delegation or group of delegations. I hope that is clear.

Mr. Issa (Egypt): It is crystal clear. It seems to me that we are dealing with a Chairman's proposal to which a suggestion had not been added at the end but which is being proposed to be deleted, even though it had never been added.

In any case, let us forget what we call them; forget what we call the Non-Aligned Movement proposal or a Chair's proposal; forget all of those names. May I, through you, Sir, request the representative of the United States to read at dictation speed what it is that he will be conveying to Washington, D.C., so that I can write it down at dictation speed? And I will not call it any proposal. Can I just ask the representative of the United States to read out at dictation speed the language — not "proposal" but language — that he would be conveying to Washington, D.C., so that I can note it down?

The Chairman: The Chair — again, to facilitate the work — would honestly appeal to the representative of Egypt that, maybe, he not request the representative of the United States to read the proposal, because I do not want to give the impression that they are making a proposal. On behalf of the rest of the house, I should like to request the representative of the United States to repeat what the United States delegation said earlier.

My understanding was that the United States had agreed to remove reference to "in all its aspects", and that the representative of the United States is inclined to or most likely to have reference to "non-proliferation" removed. Would the representative of the United States clarify that position?

Mr. Issa (Egypt): I did not use the word "proposal". All I requested was that the language be read out at dictation speed.

Mr. Bravaco (United States of America): Perhaps it would be best, Sir, if you read out your own proposal, as you understand it to read now that I have suggested the deletion of what we proposed in the 8 July meeting, which was to have the word "non-proliferation" at the end of the sentence. And then I suggested, to make lives easier, "in all its aspects". I am prepared to drop that formulation in its entirety from the end of the sentence so that, as I understand your proposal, Mr. Chairman, it would read as it is written: "Recommendations for nuclear disarmament and non-proliferation of nuclear weapons in all its aspects, in particular for achieving the objective of nuclear disarmament".

That is your proposal as I understand it, and on that basis I think we can make some additional progress, depending on how the formulations of the other agenda items turn out. But clearly, "Strategies and guidelines", which was the Non-Aligned Movement proposal from 8 July, is unacceptable to the United States. I say it again for, I think, the third time.

The Chairman: Whatever it is — and the representative of the United States read my proposal — I will read it out myself: "Recommendations for nuclear disarmament and non-proliferation of nuclear weapons in all its aspects, in particular for achieving the objective of nuclear disarmament". That is my proposal and, as I said, that proposal was based on the fact that I culled it from the last resolution of the General Assembly. It is a compromise, because there was no consensus on the use of the words "guidelines" and "strategies" or on using both.

I have a feeling that there is an emerging consensus that at least we will have achieved something and that we can cross the other bridges, the other obstacles that are in our way in the next step.

It is my understanding that this Commission, as a compromise and in the spirit of multilateralism, is prepared to accept my suggestion as one of the agenda items for a substantive session of the Disarmament Commission. If there is no objection ...

I call on the representative of the United States.

Mr. Bravaco (United States of America): I have no objection, but if you could just clarify or reinforce, Sir, that agreement on this item is conditional on or in the context of agreement to the entire agenda and how that formulation shapes up.

The Chairman: Before I listen to any other intervention or possible response to that, I urge that we deal with this agenda item incrementally. I know that we could address the issue in terms of a package, but based on the temperature or the mood of the Commission, I would suggest that we accept this without any preconditions because, as I said earlier on, delegations have the opportunity and the right to say whatever they want to say when we discuss the substance of issues. This is only a step giving us the green light — so to speak — to talk. We have the green light; let us talk. Let us reserve our right to add any conditions or preconditions, because that might just complicate the whole issue. That is my appeal.

Mr. Bravaco (United States of America): I should like to stress once again, as I did earlier, that this particular formulation has not been reviewed on a wide basis in Washington. Therefore, when I tell the Commission what I think will fly, it of necessity must be on an *ad referendum* basis, because what we submitted, Mr. Chairman, was your proposal from 8 July, as amended by the Non-Aligned Movement. That did not fly in Washington, and so this formulation has to be vetted.

The question that, rightly, is going to be asked is, What does the rest of the agenda look like? There is always trepidation about buying a pig in a poke. If we agree to this, policymakers everywhere, in every capital, are going to want to know how this fits and how it is arranged with the rest of the agenda.

On an *ad referendum* basis, therefore, and conditional on what the rest of this looks like, I am prepared to talk about the remaining elements of the agenda. That is all I can do for the Commission today. I am prepared to continue to discuss the rest of the architecture for the Commission.

Ms. Paterson (United Kingdom): Mr. Chairman, given that you have put a slightly different proposal to us, I think that it might be helpful if we had five or 10 minutes just to retire and have a word among delegations.

The Chairman: I have no objection to taking such a break, but I must point out that this proposal is not entirely new. This was exactly my proposal in the consultations. The only difference was that there was an addition which delegations were supposed to discuss. This is exactly the same proposal, made after the impasse and after the failure of two groups of delegations to help me remove the square brackets. That is what I came up with. This is not new at all

Does the United Kingdom still want us to have a break to discuss this?

Ms. Paterson (United Kingdom): Yes, Mr. Chairman, I think we would, since the proposal was not on the table at the 8 July meeting. The other thing is, we would need time to discuss this with other members of the European Union delegation.

The Chairman: While I defer to the representative of the United Kingdom, I still have to emphasize that it was on the table at that meeting.

Miss Majali (Jordan): Mr. Chairman, my delegation associates itself with other members of the Non-Aligned Movement in congratulating you.

I am basically reacting to the suggestion made by the United Kingdom in principle. I know that our representative here might take the floor to react to it, so my question is, what are the suggested proposals to which the delegation of the United Kingdom referred? Would it be just your proposal, Mr. Chairman, if the decision is taken to break for 10 minutes or so, or would there be something else on the table? If we decide to take a short break to consult, we need to know what proposal we will be discussing during those 10 minutes.

Mr. Najafi (Islamic Republic of Iran): I am taking the floor to ask a procedural question.

I saw in the *Journal* that, with respect to this morning's organizational meeting, we have 45 minutes. I should like to know what the procedure is for the continuation of this discussion.

The Chairman: I think that this is a very relevant question, which I was going to address later, after consultations.

But, again, going back to what the representative of the United Kingdom said, I would assume that probably other members of the European Union had not seen the proposals, because we tried to fax my two proposals to the permanent missions. As I mentioned, there was no discussion of the second item — the one on conventional weapons — but we did discuss my proposal, the one on nuclear disarmament, item 1. The European Union was represented in those consultations.

Maybe the representative could by clarifying, as other delegations, such as Jordan, suggested, what exactly we would be breaking for? In other words, what are the 10 minutes for? What will we be discussing? What do we expect?

Ms. Paterson (United Kingdom): Mr. Chairman, I think the first thing is — and I am sorry if I have confused other representatives — the fact that the proposal that you put forward on 8 July has been substantially amended in that meeting, and the rewording was not, as I understand it, circulated at the end of the meeting, so not all delegations necessarily have seen the rewording.

The second point I want to make, Mr. Chairman, is that your idea that the agenda should be looked at in terms of individual items rather than as a package is also something that is rather new, and I think that we would like at least to have the opportunity for the European Union delegations to get together and just consult.

The Chairman: Does the House agree to break for 10 minutes? If, in view of the stage at which we are now, delegations also wish — since we did not discuss the second item — to consider it, or, if they have some initial comments on that item, by all means they can do so. Maybe we can break for 15 minutes.

Mr. Issa (Egypt): Just before we break, I should like to recall the request that was made by the representative of Jordan regarding which issues are to be discussed during the break. A proposal is included

in the draft that was circulated this morning. However, some amendments were also made to the second proposal, and there are some suggestions in that respect. Are we also discussing that? How are we going to proceed? It is now 12.20; how do you foresee proceeding from here?

The Chairman: I did take note of the attempts made to amend my second proposal on conventional weapons, but I did not want to deal with those at that stage, since we are focussing on the first proposal. As I said, therefore, if delegations would at least like to make some initial comments on the second one during this suspension, they can by all means do so.

In response to the question from the representative of Jordan, at this stage I believe it would serve a purpose if members were also to discuss how they would guide me with regard to proceeding after we accept, even if on an *ad referendum* basis, the first proposal, the one on nuclear weapons. I would therefore ask that members return after the suspension to give me an idea as to what we can do.

I know that the *Journal* said that we had scheduled only one meeting this morning, with nothing this afternoon. But I would remind members that the Commission's session is supposed to take place from 18 July to 5 August. The resources are therefore at our disposal, and representatives have to make use of those resources. I hope that, during the 15-minute suspension, members can use the time available to agree to come back to tell me that they can accept the first proposal — even if on an *ad referendum* basis — and that they have some comments on the second proposal, as well as to give me some idea about what should take place this afternoon or tomorrow.

Mr. Najafi (Islamic Republic of Iran): I would just like to comment on the last remark — I emphasize "last" — made by the Chairman when he referred to the time available to the Disarmament Commission during its substantive session, not its organizational session. I understood from his last comment that he is ready to expand the time available for the substantive session to continue the organizational session.

The Chairman: I did not say that. I said that time was available. On the United Nations calendar of conferences, we are scheduled to meet from 18 July to 5 August. That is clear. If it is the wish of the Commission to extend its organizational session in order to facilitate its work and make it more productive, by all means let us do so. It is also up to members whether they wish to begin the substantive session immediately after that, or not to have it at all. All I am saying is that that time segment is available to the Commission and that the Commission can use it in the way it feels best suits its interests and ensures that it fulfils its responsibilities and mandates. That is all.

I shall now suspend the meeting for about 15 minutes.

The meeting was suspended at 1.10 p.m.